

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES ANDERSON, et al.,

No. 3:18-cv-00549-SB

Plaintiffs,

v.

ROSS ISLAND SAND & GRAVEL CO.,
an Oregon corporation,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Beckerman issued a Findings and Recommendation (#14) on July 11, 2018, in which she recommends that this Court grant Plaintiffs' motion for general judgment by default in part.¹ The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. *United States v. Reyna-*

¹ Although Judge Beckerman's Conclusion recommends granting the motion, it is clear from the Discussion that the recommendation is to grant the motion in part because she recommends disallowing some portion of the requested attorney's fees.

Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Beckerman's Findings & Recommendation [14]. Accordingly, Plaintiffs' motion for judgment by default [10] is granted in part and denied in part as follows: The motion to enter a default judgment is granted with an award of \$86,966.19 in damages with interest accruing at the rate of 12% per annum from May 20, 2018 until the Judgment is satisfied; the attorney's fee request is granted in part and Plaintiffs are awarded \$1,670 in attorney's fees; the cost request is granted in full and Plaintiffs are awarded \$400 in costs.

Plaintiffs are directed to prepare a judgment in accordance with this Order and promptly submit via email to Judge Hernandez's courtroom deputy.

IT IS SO ORDERED.

DATED this 15 day of Aug, 2018.


MARCO A. HERNANDEZ
United States District Judge